

Rejection Under 35 U.S.C. § 103

Claims 1, 3, 5, 6, and 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schlenoff (U.S. Patent No. 5,466,930).

It is noted that claim 4 is not included in this rejection. The limitation of claim 4 “wherein the presence of, the absence of, or the degree of general molecular property-based binding interaction with the scintillating material is due to a chemical or biochemical transformation of one of said molecular species into another of said molecular species” has now been included in claim 1, the only independent claim under consideration in the application. As Schlenoff does not disclose methods of detecting scintillation due to a chemical or biochemical transformation, Applicants submit that this amendment obviates the rejection under 35 U.S.C. 103(a). Withdrawal of this rejection is respectfully requested.

CONCLUSION

Applicants submit that the amendments and remarks above satisfy all issues that were pending prior to the filing of the Continued Prosecution Application.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned “Version with markings to show changes made”.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is in condition for allowance. Further examination and reconsideration of the application and allowance of the claims at an early date is respectfully requested.

If, for any reason, the Examiner finds the application other than in condition for allowance, the Examiner is invited to contact the undersigned agent at the Los Angeles telephone number (213) 892-5615 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this

document to Deposit Account No. 03-1952 referencing docket no. 342312000600. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

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Version with markings to show changes made

In the Claims:

Please cancel claim 4 without prejudice or disclaimer.

Please amend claims 1 and 19 as follows:

1. (Twice amended) A method for analyzing a sample comprising:

a) providing a sample containing at least two molecular species, wherein at least one of the molecular species is capable of stimulating scintillation;

b) providing a scintillating material, wherein the surface of the scintillating material adsorbs at least one of the molecular species via a general molecular property-based binding interaction between the molecular species and the scintillating material, and where the scintillating material can be stimulated to scintillate above background by at least one of the adsorbed molecular species, but is [generally] not stimulated to scintillate above background by any molecular species which is not adsorbed, where at least one of said molecular species has a presence of, an absence of, or a degree of general molecular property-based binding interaction with the scintillating material distinct from the remainder of the molecular species; [and]

c) measuring the scintillation emitted by the scintillating material[.];

wherein the presence of, the absence of, or the degree of general molecular property-based binding interaction with the scintillating material is due to a chemical or biochemical transformation of one of said molecular species into another of said molecular species; and

d) determining the progress of or degree of completion of the molecular transformation;

wherein the reaction product of the chemical or biochemical transformation binds to the scintillating material.

19. (Once amended) The method of claim [4] 1, further comprising performing the method on a plurality of samples to effect a high throughput screen.